

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
PHILIP NARDUCCI, a/k/a "Phil," JAMES GALLO, a/k/a "Jimmy"	:	VIOLATIONS: 18 U.S.C. § 892(a) (making extortionate extensions of credit – 1 count) 18 U.S.C. § 894(a)(1) (collections of extensions of credit by extortionate means and conspiracy - 14 counts) 18 U.S.C. § 2 (aiding and abetting) Notice of forfeiture

INDICTMENT

COUNT ONE

Making Extortionate Extensions of Credit

THE GRAND JURY CHARGES THAT:

From in or about January 2016 to in or about May 2018, in the Eastern District of Pennsylvania and elsewhere, defendant

PHILIP NARDUCCI,
a/k/a "Phil,"

knowingly made extortionate extensions of credit, as defined in 18 U.S.C. § 891(6), to an individual known to the grand jury and identified here as Victim A.

In violation of Title 18, United States Code, Section 892(a).

COUNT TWO

Conspiracy to Collect Extensions of Credit by Extortionate Means

THE GRAND JURY FURTHER CHARGES THAT:

1. From on or about January 8, 2016 to on or about the date of this indictment, in the Eastern District of Pennsylvania and elsewhere, defendants

**PHILIP NARDUCCI,
a/k/a "Phil," and
JAMES GALLO,
a/k/a "Jimmy,"**

knowingly conspired and agreed together, and with other co-conspirators known and unknown to the grand jury, to participate in the use of extortionate means to collect an extension of credit made to an individual known to the grand jury and identified here as Victim A.

OVERT ACTS

2. In or about January 2018, defendant NARDUCCI loaned \$20,000 to Victim A.
3. In or about June 2018, the loan amount from defendant NARDUCCI was increased to \$115,000.
4. In or about October 2018, when Victim A failed to make required weekly interest payments on the usurious loans, defendant NARDUCCI confronted Victim A at his place of employment and threatened him with violence by making a hand signal for a gun and saying, "This is what I do if you don't pay," or words to that effect.
5. On or about October 25, 2018, when Victim A failed to make required weekly interest payments on usurious loans, defendant NARDUCCI physically assaulted Victim A by throwing him across a room, throwing him against a car and pushing his head against the windshield.

6. On or about October 27, 2018, defendant NARDUCCI directed defendant GALLO to collect weekly interest payments on the usurious loans from Victim A.

7. On or about October 27, 2018, when defendant GALLO collected a weekly interest payment from Victim A on behalf of defendant NARDUCCI, defendant GALLO told Victim A that he should be scared of defendant NARDUCCI, stating, "He's a killer, you fucking idiot. He's killed fucking eight people."

8. On or about October 29, 2018, when defendant GALLO collected a weekly interest payment from Victim A on behalf of defendant NARDUCCI, defendant GALLO warned Victim A, "I'm not saying that he [referring to defendant NARDUCCI] won't come in and strangle you, but he's not gonna kill you."

9. On or about December 7, 2018, when Victim A failed to make a weekly interest payment in the correct amount, defendant GALLO told Victim A to "stop playing games" and that he was "playing with the wrong guy." Defendant GALLO also warned Victim A, "You know when you're gonna care? When he [referring to defendant NARDUCCI] shows up with a fucking ski mask and you're gonna say, 'Oh No,' and it's too late. That's when you're gonna care. That's when you're gonna care. You're gonna say 'Oh No' and that's gonna be the last thing you're gonna fucking say. And that, I don't care. It's not my problem ... That's what he does! This is what the guy does! He's mentioned in fourteen murders! Like, what's your problem?"

All in violation of Title 18, United States Code, Section 894(a)(1).

COUNTS THREE THROUGH FIFTEEN**Collection of Extensions of Credit by Extortionate Means****THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

JAMES GALLO,
a/k/a "Jimmy,"

knowingly participated in the use of extortionate means to collect an extension of credit from an individual known to the grand jury and identified here as Victim A, and aided and abetted such collection:

Count	Date	Amount
3	October 29, 2018	\$600
4	November 5, 2018	\$600
5	November 13, 2018	\$600
6	November 19, 2018	\$600
7	November 26, 2018	\$600
8	December 7, 2018	\$500
9	December 12, 2018	\$600
10	December 19, 2018	\$600
11	December 28, 2018	\$600
12	January 3, 2019	\$600
13	January 10, 2019	\$600
14	January 16, 2019	\$1000
15	January 24, 2019	\$1000

All in violation of Title 18, United States Code, Sections 894(a)(1) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations contained in Counts One through Fifteen of this indictment are incorporated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in the event of any defendant's conviction under Counts One through Fifteen of this indictment, in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

3. Defendants:

**PHILIP NARDUCCI,
a/k/a "Phil," and
JAMES GALLO,
a/k/a "Jimmy"**

have interests in property which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 892 and 894, as averred in Counts One through Fifteen of this indictment.

4. The interests of the defendants subject to forfeiture to the United States include but are not limited to proceeds or property derived from proceeds traceable to violations of Title 18, United States Code, Sections 892 and 894, as averred in Counts One through Fifteen.

5. If any of the above-described property, as a result of any act or omission of the defendants:

- A. cannot be located upon the exercise of due diligence;
- B. as been transferred or sold to, or deposited with, a third person;

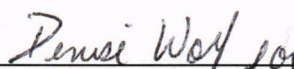
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

then it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above-described property.

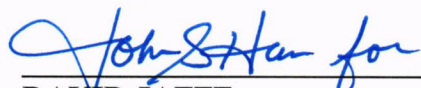
All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

GRAND JURY FOREPERSON



WILLIAM MCSWAIN
United States Attorney
Eastern District of Pennsylvania



DAVID JAFFE
Chief
Organized Crime and Gang Section
United States Department of Justice

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INDICTMENT

DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar. 19cr72

Address of Plaintiff: 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476

Post Office: Philadelphia County: Philadelphia

City and State of Defendant: Mullica Hill, NJ (Narducci); Philadelphia, PA (Gallo)

County: Gloucester (Narducci); Philadelphia (Gallo) Register number: 37265-066 (Narducci)

Place of accident, incident, or transaction: Eastern District of Pennsylvania

Post Office: Philadelphia County: Philadelphia

RELATED CASE, IF ANY:

Criminal cases are deemed related when the answer to the following question is "yes".

Does this case involve a defendant or defendants alleged to have participated in the same action or transaction, or in the same series of acts or transactions, constituting an offense or offenses?

YES/NO: NO

Case Number: Judge:

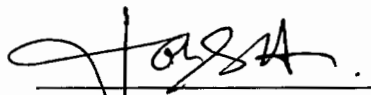
CRIMINAL: (Criminal Category - FOR USE BY U.S. ATTORNEY ONLY)

1. ☐ Antitrust
2. ☐ Income Tax and other Tax Prosecutions
3. ☐ Commercial Mail Fraud
4. ☐ Controlled Substances
5. ☐ Violations of 18 U.S.C. Chapters 95 and 96 (Sections 1951-55 and 1961-68) and Mail Fraud other than commercial
6. ☒ General Criminal

(U.S. ATTORNEY WILL PLEASE DESIGNATE PARTICULAR CRIME AND STATUTE CHARGED TO BE VIOLATED AND STATE ANY PREVIOUS CRIMINAL NUMBER FOR SPEEDY TRIAL ACT TRACKING PURPOSES)

18 U.S.C. § 892(a) (making extortionate extensions of credit – 1 count); 18 U.S.C. § 894(a)(1) (collections of extensions of credit by extortionate means & conspiracy– 14 counts); 18 U.S.C. § 2 (aiding and abetting); Notice of Forfeiture

DATE: 1/30/19


John S. Han
Trial Attorney
U.S. Department of Justice

U.S. v. Philip Narducci & James Gallo